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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/696,436	10/24/2000	Ted J. Cooper	80398.P350	3904

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EXAMINER

YE, LIN

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/696,436

Applicant(s)

COOPER, TED J.

Examiner

Lin Ye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Appeal Brief

1. Applicant's Appeal Brief filed on 8/24/05 has been fully considered. The applicant argues that the combination of Hel-or, Kimmel, and Ebel cannot be properly interpreted "providing edge enhancements to increase edge detail of a captured raw image as part of a demosaicing process as disclosed in the claim 1. The examiner agrees. Therefore, the final rejection mailed on 3/21/05 has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made for replacing the final rejection mailed on 3/21/05, this action is made final again.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-16, 18 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Acharya et al. U.S. Patent 6,108,453.

Referring to claim 1, the Acharya reference discloses in Figures 1, 5 and 7, an image processing method comprising: capturing a raw image (camera 730 obtains a raw images, see

Col.4, lines 65-67); and providing edge enhancements to increase edge detail of the captured raw image as part of a demosaicing process (e.g., performing image edge enhancements on the captured raw image prior to forming full color pixels through color interpolation as part of a demosaicing process, see Col. 5, lines 5-16, lines 64-67 and Col. 6, lines 1-7; the Enhanced image 510 as shown in Figure 5 with better detail, such as sharper edges and less noise, see Col. 4, lines 20-25, and Col. 6, lines 12-13).

Referring to claim 2, the Acharya reference discloses performing post demosaicing processing on the captured raw image (e.g., the color interpolation processing, noise removal or other image enhancement processing are considered as post demosaicing processing in the image processing circuit 732, see Col. 9-35); and outputting the processed image to display devices (720).

Referring to claim 3, the Acharya reference discloses wherein providing the edge enhancements includes: creating a brightness map of the captured raw image (e.g., the pre-enhancement map 330 and enhanced map 410 of the captured raw image contains the pixel intensity values considered as a brightness map, see Col. 4, lines 25-30 and Figure 4).

Referring to claim 4, the Acharya reference discloses wherein providing the edge enhancements further includes: detecting edges of the captured raw image using the brightness map (e.g., a faint outline of the edges of the house can be noticed in map 330, see Col. 4, lines 1-2); creating a mask image (approximated image 320) from the edge detected brightness map (See Col. 3, lines 60-67); and performing unsharp edge enhancement from the masked image (e.g., due to the effectiveness of the smoothing performed as unsharp edge

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enhancement, the approximated image is slightly blurred, the edge definition will not be as great as the raw imager 310).

Referring to claim 5, the Acharya reference discloses wherein providing the edge enhancements further includes: blending multiplicatively the unsharp edge enhanced image (approximated image 320) with the brightness map (410) as shown in Figure 5.

Referring to claim 6, the Acharya reference discloses in Figures 1, 5 and 7, an apparatus comprising: an image capturing device capturing a raw image (camera 730 obtains a raw images, see Col.4, lines 65-67); and a processor (processor 712, see Col. 5, lines 55-62) to provide edge enhancements to increase edge detail of the captured raw image as part of a demosaicing process (e.g., performing image edge enhancements on the captured raw image prior to forming full color pixels through color interpolation as part of a demosaicing process, see Col. 5, lines 5-16, lines 64-67 and Col. 6, lines 1-7; the Enhanced image 510 as shown in Figure 5 with better detail, such as sharper edges and less noise, see Col. 4, lines 20-25, and Col. 6, lines 12-13).

Referring to claim 7, the Acharya reference discloses all subject matter as discussed with respected to same comment as with claims 2 and 6.

Referring to claim 8, the Acharya reference discloses all subject matter as discussed with respected to same comment as with claims 3 and 6.

Referring to claim 9, the Acharya reference discloses all subject matter as discussed with respected to same comment as with claims 4 and 8.

Referring to claim 10, the Acharya reference discloses all subject matter as discussed with respected to same comment as with claims 5 and 9.

Referring to claim 11, the Acharya reference discloses in Figures 1, 5 and 7, a machine-readable medium (RAM 711, see Col. 5, lines 20-30) that provides instructions, which if executed by a processor (processor 712, see Col. 5, lines 55-62), cause the processor to perform the operations comprising: capturing a raw image (camera 730 obtains a raw images, see Col.4, lines 65-67); and providing edge enhancements to increase edge detail of the captured raw image as part of a demosaicing process (e.g., performing image edge enhancements on the captured raw image prior to forming full color pixels through color interpolation as part of a demosaicing process, see Col. 5, lines 5-16, lines 64-67 and Col. 6, lines 1-7; the Enhanced image 510 as shown in Figure 5 with better detail, such as sharper edges and less noise, see Col. 4, lines 20-25, and Col. 6, lines 12-13).

Referring to claim 12, the Acharya reference discloses all subject matter as discussed with respected to same comment as with claims 2 and 11.

Referring to claim 13, the Acharya reference discloses all subject matter as discussed with respected to same comment as with claims 3 and 11.

Referring to claim 14, the Acharya reference discloses all subject matter as discussed with respected to same comment as with claims 4 and 11.

Referring to claim 15, the Acharya reference discloses all subject matter as discussed with respected to same comment as with claims 5 and 11.

Referring to claim 16, the Acharya reference discloses in Figures 1, 5 and 7, an image processing device comprising: an image capturing device capturing a raw image (camera 730 obtains a raw images, see Col.4, lines 65-67); a memory device (disk 718, or memory 711, see Col. 5, lines 10-11, lines 55-57 and lines 63-64) to store the captured raw image; an

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output unit (display device 720 and adapter 716) coupled to the memory device as shown in Figure 7; and a processor (processor 712, see Col. 5, lines 55-62) to provide edge enhancements to increase edge detail of the captured raw image as part of a demosaicing process and to cause the enhanced image to be output to the output unit (e.g., performing image edge enhancements on the captured raw image prior to forming full color pixels through color interpolation as part of a demosaicing process, see Col. 5, lines 5-16, lines 64-67 and Col. 6, lines 1-7; the Enhanced image 510 as shown in Figure 5 with better detail, such as sharper edges and less noise, see Col. 4, lines 20-25, and Col. 6, lines 12-13; and the enhanced image output to the display devices 720 and 716).

Referring to claim 18, the Acharya reference discloses wherein the output unit is a display device (monitor 720) as shown in Figure 7.

Referring to claim 19, the Acharya reference discloses wherein the processor (712) is to perform post demosaicing processing (the color interpolation processing) on the captured raw image and to cause the image to be output to the display (720) (See Col. 6, lines 9-18).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Acharya et al. U.S. Patent 6,108,453 in view of Lathrop et al. U.S. Patent 6,288,743.

Referring to claim 17, the Acharya reference discloses all subject matter as discussed in respected claim 16, and the Acharya reference discloses the camera (730) is a digital camera for capturing a sensor image of an object or scene (See Col. 4, lines 58-60). However the Acharya reference does not explicitly states the camera includes a CCD array.

The Lathrop reference discloses in Figure 1, a digital camera (10, See Col. 3, lines 5-32) comprising: a image sensor (CCD 16). The Lathrop reference is evidence that the digital camera using CCD as a image sensor to capture a image of an object or scene which is well known to one of ordinary skill in the art at the time the invention made so that captured image data can be easily digitized and stored in ma non-volatile image memory (See Col. 1, lines 10-15). For that reason, it would have been obvious to one of ordinary skill in the art to see the digital camera (730) including a CCD array sensor disclosed by Acharya.

Referring to claim 20, the Acharya reference discloses all subject matter as discussed in respected claim 19, except the Acharya reference does not explicitly states the other image enhancement processing executed after color interpolation as the post demosaicing processing is a white balancing processing.

The Lathrop reference discloses an imaging apparatus (digital camera 10) has a demosaicing processing (interpolate the Bayer pattern digital image data); and a post demosaicing processing (white balance, see Col. 3, lines 50-55) for a white balancing processing. The Lathrop reference is evidence that one of ordinary skill in the art at the time to see more advantages the post demosaicing processing is a white balancing or other image

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processing so that the scene illumination can be estimate more accurately. For that reason, it would have been obvious to one of ordinary skill in the art to see the post demosaicing processing is a white balancing processing disclosed by Acharya.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Ye whose telephone number is (571) 272-7372. The examiner can normally be reached on Mon-Fri 8:00AM-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Lye', with a long horizontal flourish extending to the right.

Lin Ye
Examiner
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September 29, 2005